

North York Moors National Park Authority Planning Committee

Public Minutes of the virtual meeting held on Thursday 15 October 2020, 10am.

Present: Peter Berry, Malcolm Bowes, Alison Fisher, David Hugill, David Jeffels, Bob Marley, Heather Moorhouse, Sarah Oswald, Caroline Patmore, Clive Pearson, Andrew Scott, Subash Sharma, Colin Williamson

Apologies: Jim Bailey, Ena, Dent, Janet Frank, Patrick James, Shaun Moody, Jeremy Walker

Copies of all Documents Considered are in the Minute Book

36/2020 Minutes

Resolved:

That the minutes of the meeting held on Thursday 3 September 2020, having been circulated be taken as read and be confirmed and signed by the Chair as a correct record.

37/2020 Members Interests

Members were reminded of their responsibility to declare any personal, prejudicial and/or disclosable interests relating to any agenda item prior to its consideration.

38/2020 Miscellaneous Items

Considered:

The report of the Director of Planning

Resolved:

That the report be noted.

39/2020 Response to White Paper Consultation

Considered:

The verbal report of the Head of Strategic Policy

Recommendation:

That Members:

- a. Note the proposals put forward in the Government's Planning White Paper
- b. Inform Officers of any views on these proposals, and agree a National Park focused response to Government either directly or to feed through into a joint NPE response
- c. Delegate authority to approve and submit the final response to the Director of Planning.

Resolved:

That Members:

- a. Noted the proposals put forward in the Government's Planning White Paper.
- b. Informed Officers of views on these proposals, and endorsed the content of the Officer report. In addition to a joint NPE response Members requested the submission of an independent North York Moors National Park Authority focused response to Government with the final submission circulated to Members for information. Members also suggested the submission of a joint response with neighbouring Local Planning Authority's and endorsed on-going meetings with DEFRA and MHCLG
- c. Delegated authority to approve and submit the final response to the Director of Planning.

40/2020 Applications for Planning Permission

The following members of the public addressed the meeting regarding the Plans List Items indicated:

Plans List Item 4 – Mr Chris Suggitt spoke as the applicant and Mr Stephen Suggitt spoke in support of the application.

Plans List Item 5 – Mr Louis Stainthorpe spoke as the applicant's agent.

Considered:

The report listing applications and the Director of Planning's recommendations thereon.

Members also considered further information circulated on the Members' Update Sheet including; updated recommendations from the Director of Planning and comments received after the agenda was printed from: consultees, objectors and supporters.

Resolved:

- (a) That with regard to all applications listed in the report and subject to:
 - (i) the amendments specified below; and
 - (ii) the imposition of conditions in accordance with the relevant provisions of Sections 91-94 of the Town and Country Planning Act 1990, except in those instances where an alternative condition is contained in the Director of Planning's recommendation or in an amendment referred to in (i) above;decisions be given in accordance with the Director of Planning's recommendations:

List No	Plan No and Description of Proposal
1.	NYM/2020/0443/FL - conversion of existing redundant agricultural buildings to 2 no. cottages (dual use (holiday letting/local occupancy letting) with associated access, parking and landscaping works at Greenhills, High Lane, Robin Hoods Bay for Mr and Mrs Sheveling, Greenhills, Robin Hoods Bay, High Lane, Whitby, YO22 4PJ. Decision Approved as recommended with the decision delegated to the Director of Planning to clear following receipt of an amended plan incorporating a timber lean-to for storage purposes and subject to a Section 106 Agreement to prevent external paraphernalia.
2.	NYM/2020/0275/FL - change of use of outbuildings to provide for holiday and ramblers', accommodation comprising one single bedroom self-contained holiday apartment, two 3-bedroom and one 2-bedroom units together with two ramblers cottages with a laundry and drying room, plus a games room, ancillary store and covered parking area at Outbuildings at Biggin House, Guisborough Road, Ugthorpe for The Mulgrave Estate, fao: Mr Robert Childerhouse, c/o Agent.

	<p>Decision Approved as recommended with amendments to conditions 6, 22, 24 and 25 and an additional condition (29) as set out on the Members Update Sheet:</p> <p>6. No external lighting shall be installed in the development hereby permitted until details of lighting have been submitted to and approved in writing by the Local Planning Authority and the further bat survey reports (required by condition 22 below) and EPSL have been supplied. The lighting shall be installed in accordance with the details so approved and shall be maintained in that condition in perpetuity.</p> <p>22. Prior to the commencement of any works to the fabric of the masonry outbuildings, further activity survey(s) are to be carried out by a suitably qualified ecologist in the optimum bat breeding season (May – August inclusive). A copy of the survey findings as well as a copy of the European Protected Species Licence (EPSL) once obtained must be provided to the Authority and acknowledged in writing prior to any works covered under the licence commencing.</p> <p>24. Works must comply with proposed Mitigation and Compensation as detailed within section 4 of the Bat Emergence Report Survey dated 2 October 2020 and any further guidance on mitigation and compensation – including method statements - as provided by a suitably qualified ecologist within subsequent bat survey reports, including the EPSL conditions. When in conflict, the most recent survey recommendations should be given precedence.</p> <p>25. Before the development hereby permitted commences, the applicant/ecological consultant shall forward a copy of the Natural England European Protected Species Licence covering approved mitigation to the National Park Authority.</p> <p>29. Works to any buildings should not be commenced within the bird breeding season (March to August inclusive) unless the site has been thoroughly checked by a suitably qualified ecologist for bird breeding immediately prior (within 48 hours) of works commencing. Any nests found must be left undisturbed until chicks fledge and the nest is abandoned.</p>
3.	<p>NYM/2020/0440/FL - alterations and construction of single and two storey extensions following demolition of existing extensions and summerhouse, erection of replacement garden footbridge, construction of replacement detached garage at Carlton Grange, Carlton in Cleveland for Mr Andrew Port, Carlton Grange, Carlton in Cleveland, TS9 7BB.</p>
	<p>Decision Alison Fisher declared a personal interest in this item as the agent is a social acquaintance. Approved as recommended.</p>
4.	<p>NYM/2020/0272/FL - alterations and construction of single and two storey extensions following demolition of existing garage at 15 Mill Lane, West Ayton for Mr & Mrs Suggitt, 15 Mill Lane, West Ayton, Scarborough, YO13 9JT.</p>
	<p>Decision Approved as recommended.</p>
5.	<p>NYM/2020/0500/FL - variation of conditions 2 (material amendment), 4, 5 & 6 of planning approval NYM/2015/0826/FL to allow revisions to internal layout in relation to shop, cafe and multi-use/training room and change of external window to door, the sale of new bikes and local goods (part retrospective) at Fryup Gill Farm, Yorkshire Cycle Hub, Fryup for Mr and Mrs Philip and Sarah Thurlow, Truly Scrumptious, The Street, Great Fryupdale, YO21 2AS</p>
	<p>Decision Approved as recommended with the decision delegated to Director of Planning to clear an amendment to condition 3 to allow the sale of local gifts from the shop for a temporary 18 month period and subject to an amended Section 106 Agreement.</p>

6. NYM/2020/0646/RRC - prior notification for change of use of shop (Use Class A1) to restaurant (Use Class A3) together with installation of extractor flue under Part 3, Class C at 12 Bridge Street, Helmsley for Mr Salvatore Pili, 31 Ashwood Close, Helmsley, York, YO62 5HW.

Decision

Following receipt of revised ventilation system details and confirmation from Environmental Health that these details are acceptable, approved as set out on the Members Update Sheet subject to a verbal request to change the colour referred to in condition 5 changed from 'matt black' to 'stone coloured to match dwelling walls':

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.
2. The development hereby approved shall be only carried out in strict accordance with the detailed specifications and plans comprised in the application hereby approved or in accordance with any minor variation thereof that may be approved by the Local Planning Authority.
3. The premises shall not be used other than as restaurant and shall not be used for any other purpose within Schedule 2, Part 4, Class DA of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order).
4. The restaurant/cafe hereby permitted shall not be open to customers outside the hours of 16.00 to 21.00 Tuesday to Saturday and at no time on Sundays and Bank Holidays. Any variation to these hours will require a new grant of planning consent from the Local Planning Authority.
5. The extractor flue hereby approved shall be coloured matt black and maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.